

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

**JERRY WAYNE MALONE**

**PLAINTIFF**

**V.**

**NO. 3:17CV00159-JMV**

**COMMISSIONER OF SOCIAL SECURITY**

**DEFENDANT**

**ORDER DISMISSING CASE**

Before the Court is Plaintiff's unopposed Motion To Dismiss Appeal [17]. In support of the motion, Plaintiff states, *inter alia*, that there is "no legitimate basis for appeal."

Pursuant to FED. R. CIV. P. 41(a)(2), "an action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper." The Court, having been advised defendant does not oppose the motion, finds the motion should be granted for good cause shown. Therefore, it is

**ORDERED** that the instant motion is granted, and this case is **DISMISSED**.

This, the 22nd day of February, 2018.

/s/ Jane M. Virden  
UNITED STATES MAGISTRATE JUDGE